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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,282	09/24/2003	Iwata Ikeda	64484-013	3504
7590 McDermott, Will & Emery 600 13th Street, N.W. Washington, DC 20005-3096			EXAMINER DULANEY, BENJAMIN O	
			ART UNIT 2625	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/668,282

**Applicant(s)**

IKEDA ET AL.

**Examiner**

BENJAMIN O. DULANEY

**Art Unit**

2625

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 October 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5) ☒ Claim(s) 1.5-10 and 13 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1.5-10 and 13 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-C1000)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see page 15, filed 10/13/11, with respect to the rejection(s) of claim(s) 1, 5-10 and 13 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. patent 6,509,974 by Hansen, and further in view of U.S. patent 6,509,903 by Yosefi, and further in view of U.S. patent 6,771,384 by Laverty et al.

Applicant's arguments filed 10/13/11 have been fully considered but they are not persuasive.

Regarding applicant's argument for claim 1, on page 15, that Hansen does not teach workflow created based upon an output requirement, examiner disagrees. As explained in previous actions, **any** of the attribute parameters taught by Hansen can be subject to the rules defined in column 18, lines 46-64, these rules then affect the choice of output device, which certainly then affects the job ticket. Therefore, since the combination of Hansen and Yosefi does teach all of the "output requirements" (i.e. parameter selections), the disputed limitation is certainly taught.

Regarding applicant's argument for claim 1, on page 15, that Yosefi does not teach the newly amended fourth rule, examiner disagrees. Firstly, Yosefi teaches in column 2, lines 24-26 that it is known for trapping to take place during rasterization which taken together with the teaching in column 5, lines 60-67 that the entire purpose

of trapping is to prevent artifacts caused by two different enough colors that are side by side renders "special colors are considered" known in the art ("special colors" i.e. mixes of CMYK are taught in column 7, lines 25-39). Therefore the argument is overcome.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 5-10 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 10 and 13, the new limitation "the designated size of paper is designated from a magazine", while claimed verbatim from applicant's specification, does not appear to be logically sound in the context in which it is used. Firstly, as is made clear by the specification, "magazine" refers to an actual book-like printed medium, and not a paper bin or tray. In addition, the claimed "output requirement" that paper/page size can be set by user interaction with icons as previously defined in the claim, therefore the limitation that the size of paper is "designated from a magazine" does not appear to make sense just by the definition of the terms being used nor does it make sense in the claim itself as it contradicts earlier limitations. Explanation and/or amendment are required.

NOTE: for the purposes of this action examiner will interpret the limitation discussed above as "size of paper" can be designated as a print processing parameter and "magazine" can also be designated as a print processing parameter.

Claims 5-9 are rejected because they depend upon claim 1.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1) Claims 1, 5-10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,509,974 by Hansen, and further in view of U.S. patent 6,509,903 by Yosefi, and further in view of U.S. patent 6,771,384 by Laverty et al.
- 2) Regarding claims 1, 10 and 13, Hansen teaches an apparatus for generating a workflow for making image recording media recorded with images expressed by page data from the page data described in page description language, comprising: a designator for designating attributes of the image recording media constituting a finally resulting matter resulting from processing based on the workflow to be created (column 6, lines 20-60; figures 2 and 4; specifically lines 55-60 detailing attribute selection); and a workflow creator for creating the workflow by deciding upon processes required in order to make the image recording media and parameter values for the required

processes based on the attributes designated by the designator (column 11, line 64 - column 12, line 2; figures 2 and 4; the "tickets" which control the workflow operation can be interpreted as the workflow itself); and a ticket creator for creating a job ticket indicating content of each of the required processes to make the image recording media based on the workflow created by the workflow creator (column 4, lines 46-51; figures 2 and 4); a display having a prescribed screen (figure 4); a pointing device operated by a user for designating positions on the prescribed screen (column 8, lines 64-65); and a display controller (column 3, line 22; display program detailed by Hansen is for use on PCs 114 and 116, for example, that have inherent controllers to be able to display GUI's such as figure 4), wherein the workflow creator comprises: a rule storage unit for storing rules, bringing processes required to construct the workflow and parameter values for the processes into correspondence with each attribute selectable for the image recording media, for creating the workflow for making the image recording media, in advance (column 18, lines 51-56; figures 2 and 4; in example cited in Hansen the processes would be the selection/printing of the particular resource, and the "parameter values" would include whatever standard values the special attributes would inherently have to be converted to for the job to be printed on the particular chosen resource); an environmental information storage unit for storing in advance environmental information indicating an environment relating to each processor module for executing each process capable of being selected for making the image recording media (column 18, lines 46-51; a capability that is not available on the printers or a queue that is too big is "environment information" as defined by applicant's specification); and a process

content decider for determining a processor module required to make the image recording media and parameter values for the required processor module based on attributes designated by the designator by referring to the rules and the environmental information associated with the attributes designated by the designator (column 18, lines 45-53; "resource allocator" is the process content decider), wherein: the display controller displays a plurality of icons indicating the respective attributes selectable for the image recording media constituting the finally resulting matter at the display (column 8, lines 59-62 states that "GUI interface, documents, tickets **and other entities and operations** are visually represented ... such as with icons", thereby establishing that any visual interactions with the display can take place through the use of icons and could be applied to the attribute selection detailed in column 6, lines 55-60 and column 12, lines 1-4); the designator registers an attribute indicated by a selected icon as an output requirement when one of the plurality of icons is selected based on an operation of the pointing device (column 12, lines 1-16; global and job level attributes can be registered; point and click can be used for selection as previously noted in column 8, lines 64-65); the workflow creator creates a workflow based on attributes registered as output requirements (column 11, line 64- column 12, line 2; workflow is the sum of parameters and attributes of a job); the attributes designated as attributes of the image recording media by the designator include at least one of the type of image recording media to be made as the finally resulting matter, number of items, size, variety of colors, presence or absence of a trap, or imposition method (column 12, line 3 teaches at least the type of recoding media); the rules stored in the rule storage unit include a first rule

executed when output is to paper (column 18, lines 46-64 teaches that any "special attribute" can have a rule defined for it, an attribute such as color of paper taught in column 16, lines 61-62), a second rule executed when page size and paper size are designated as the output requirement (column 17, line 59 teaches page/paper size attribute which can be subject to a rule), and a fourth rule when a special color is set as the output requirement (column 16, lines 61-62 teaches blue paper which can be subject to a rule); the first rule being a rule in which each module for input processing RIP operation processing and printer processing is prepared (column 7, lines 4-6; all jobs are RIP'd prior to final transmission to output devices), the second rule being a rule in which the designated size of paper is designated (column 17, line 59; oversize stock is a parameter designation) from a magazine (column 6, line 35; a book or pamphlet is analogous to a magazine, thereby teaching it as a possible designated feature in Hansen) as a printer processing parameter, an output size taken as an RIP operation process parameter is set as the designated size, an area for an image file comprising bit map data obtained by the RIP operation processing is reserved in an auxiliary storage (column 7, lines 4-6; jobs are completely RIP'd prior to transmission to output devices thereby making storage of a job while it finishes RIPing inherent to Hansen) and a module for an imposition layout process is inserted and the number of pages to be printed simultaneously and a position on the paper of the pages to be printed simultaneously are calculated (column 8, lines 32-34, column 6, lines 35-49; since imposition is taught to involve N-UP printing selections then simultaneous printing [i.e. of the images sharing a page] and positioning of said images are taught [as positioning



must occur in some manner for printing to occur]), the first to fourth rules being referred to based on the output requirement constituted by attribute values for the finally resulting matter (as explained in previous actions, **any** of the attribute parameters taught by Hansen can be subject to the rules defined in column 18, lines 46-64, these rules then affect the choice of output device as taught in column 18, lines 29-45, which certainly then affects the job ticket [as destination is a part of any job ticket]), and when the workflow creator creates a workflow, the display controller displays the created workflow on the display (figure 4; column 12, lines 56-62).

Hansen does not specifically teach a third rule is executed when a trap is set as the output requirement, an imposition layout based on the page size and paper size designated by the output requirement (though page size is an almost inherent part of any impositioning process, Hansen does not specifically state that it is), the third rule being a rule in which a trap processor module is inserted, the third rule being a rule in which special colors are considered in the RIP operation and in a trap processing, and the number of press plates is specified taking the special colors into consideration.

Yosefi teaches a rule is executed when a trap is set as the output requirement (column 2, lines 14-19; trapping is performed based upon analyses of the workflow [i.e. rules]), the third rule being a rule in which a trap processor module is inserted (column 7, lines 25-39; example percentages for a potential special color trap are disclosed), the third rule being a rule in which special colors are considered in the RIP operation and in a trap processing (column 2, lines 24-26; special colors are part of the trapping process as taught above and lines 24-26 disclose that trapping can be performed during

rasterization thereby making special colors "considered" during both processes), and the number of press plates is specified taking the special colors into consideration (number of press plates for a mix of CMYK colors is inherent to whatever the mix is, as the number of plates is one per color).

Hansen and Yosefi are combinable because they are both from the printing field of endeavor.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hansen with Yosefi to add trapping as an output requirement. The motivation for doing so would have been "to compensate for imperfections of the printing press" (column 1, line 15).

Lavery teaches an imposition layout based on the page size and paper size designated by the output requirement (column 8, lines 4-5; page size is a necessary part of imposition processing).

Hansen and Lavery are combinable because they are both from the printing field of endeavor.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hansen with Lavery to add imposition based on page size. The motivation for doing so would have been to have a "technique that would remedy ... problems associated with manual imposition of files in the printing process" (column 7, lines 22-24).

Therefore it would have been obvious to combine Hansen with Yosefi and Lavery to obtain the invention of claims 1, 10 and 13.

3) Regarding claim 5, Hansen teaches the apparatus of claim 1, wherein: the display controller displays a first area displaying a plurality of icons indicating the respective selectable attributes (figure 4, item 302), a second area displaying icons indicating attributes registered as output requirements (figure 4, item 306), and a third area displaying the created workflow in a distinguishable manner at the screen (figure 4, item 306); and when one of the icons displayed at the first area is dragged and dropped to the second area by the pointing device, the designator registers the attribute indicated by the dragged and dropped icon as an output requirement (column 16, lines 53-65).

4) Regarding claim 6, Hansen teaches the apparatus of claim 5, wherein: when one of the icons registered as an output requirement displayed in the second area is clicked using the pointing device, the display controller separately displays an operation screen for setting detailed content for the attribute indicated by the clicked icon at the display, and the designator registers detailed content set based on user operations of the separately displayed operation screen as output requirements (column 10, lines 23-38).

Hansen does not specifically teach double-clicking.

Examiner's official notice in a previous action has gone unchallenged and therefore double clicking is considered well known.

5) Regarding claim 7, Hansen teaches the apparatus of claim 1, wherein when one of the plurality of icons indicating the respective selectable attributes is clicked by the pointing device, the designator registers the attribute indicated by the clicked icon as output requirements (column 10, lines 23-38).

Hansen does not specifically teach double-clicking.

Examiner's official notice in a previous action has gone unchallenged and therefore double clicking is considered well known.

6) Regarding claim 8, Hansen teaches a printing and prepressing manufacturing system comprising the apparatus of claim 1 and further comprising an executor for executing processing on the page data based on the workflow created by the workflow creator so as to make the image recording media with attributes designated by the designator (column 12, lines 31-46).

7) Regarding claim 9, Hansen teaches a printing and prepressing manufacturing system comprising the apparatus of claim 1 and further comprising: a ticket storage unit for storing tickets generated by the ticket creator (figure 2, item 204), and an executor for issuing tickets saved at the ticket storage unit when new page data is obtained and executing processing of the content indicated by the issued ticket on the new page data so that the image recording media having attributes designated by the designator is made (column 4, lines 46-51).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN O. DULANEY whose telephone number is (571)272-2874. The examiner can normally be reached on Monday - Friday (10am - 7pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BENJAMIN O DULANEY/  
Examiner, Art Unit 2625